



**SENATE SUBSTITUTE AMENDMENT 2,  
TO 1995 SENATE BILL 182**

March 26, 1996 - Offered by JOINT COMMITTEE ON FINANCE.

1     **AN ACT to repeal** 175.45 (9); **to renumber** 175.45 (title), 175.45 (1) (intro.),  
2           175.45 (3) (title), 175.45 (3) (a) (intro.), 175.45 (7) (b), 980.11 (2) (a), 980.11 (2)  
3           (b) and 980.11 (2) (c); **to renumber and amend** 175.45 (1) (a), 175.45 (1) (b),  
4           175.45 (1) (c), 175.45 (1) (d), 175.45 (1) (e), 175.45 (2) (title), 175.45 (2), 175.45  
5           (3) (a) 1., 175.45 (3) (a) 2., 175.45 (3) (a) 3., 175.45 (3) (a) 4., 175.45 (3) (b), 175.45  
6           (4), 175.45 (5), 175.45 (6), 175.45 (7) (title), 175.45 (7) (a), 175.45 (7) (c), 175.45  
7           (8), 971.17 (1m), 971.17 (4m) (b) and 971.17 (6m) (b); **to amend** 51.20 (13) (cr),  
8           51.375 (1) (a) and (d), 165.76 (2) (b) 3., 165.76 (3), 165.765 (1), 165.765 (2) (a),  
9           165.77 (2) (b), 165.77 (3), 301.132 (1) (c), 938.185 (3), 938.34 (15) (title), 938.34  
10          (15) (a) 1., 938.34 (15) (a) 2., 942.06 (1), 942.06 (2), 950.045, 971.17 (4m) (title),  
11          971.17 (4m) (c), 971.17 (4m) (d), 971.17 (6m) (title), 971.17 (6m) (c), 971.17 (6m)  
12          (d), 971.19 (9), 973.047 (title), 973.047 (1) (a), 973.047 (1) (b), 980.11 (title),  
13          980.11 (2) (intro.), 980.11 (3) and 980.11 (4); **to repeal and recreate** 165.76 (3),  
14          165.765 (1), 165.765 (2) (a), 165.77 (2) (b), 165.77 (3) and 950.045; and **to create**  
15          20.410 (1) (gc), 48.396 (2) (f), 51.20 (13) (ct), 51.30 (3) (d), 51.30 (4) (b) 24., 51.375,  
16          165.76 (1) (d), 165.76 (1) (e), 165.76 (2) (b) 3m., 165.76 (2) (b) 4., 165.76 (2) (b)

1 6., 165.8285, 301.132, 301.45 (1) (bm), 301.45 (1) (dd), 301.45 (1) (dh), 301.45 (1)  
2 (dp), 301.45 (1) (dt), 301.45 (2) (a), 301.45 (2) (b), 301.45 (2) (d), 301.45 (2) (e),  
3 301.45 (3) (a) 1m., 301.45 (3) (a) 2m., 301.45 (3) (a) 3g., 301.45 (3) (a) 3r., 301.45  
4 (3) (b) 1m., 301.45 (3) (b) 3., 301.45 (3) (b) 3m., 301.45 (4m), 301.45 (5) (a) 1m.,  
5 301.45 (5) (a) 3m., 301.45 (5) (b), 301.45 (6) (c), 301.45 (9), 301.46, 304.137,  
6 938.34 (15m), 938.396 (2) (em), 939.646, 942.06 (2m) and (2q), 971.17 (1m) (b),  
7 971.17 (4m) (b) 2., 971.17 (6m) (b) 2., 973.048, 980.063 and 980.11 (2) (bm) of the  
8 statutes; **relating to:** sex offender registration requirements, the release to  
9 certain persons of information concerning sex offenders required to register,  
10 requiring persons who are found to be sexually violent persons to provide  
11 biological specimens for deoxyribonucleic acid analysis, administering lie  
12 detector tests to sex offenders, granting rule-making authority, making an  
13 appropriation and providing a penalty.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

14 **SECTION 1.** 20.410 (1) (gc) of the statutes is created to read:

15 20.410 (1) (gc) *Sex offender honesty testing.* All moneys received from probation  
16 and parole clients who are required to pay for polygraph examinations, as prescribed  
17 by rule in accordance with s. 301.132 (3), for expenditures related to the lie detector  
18 test program for probationers and parolees under s. 301.132.

19 **SECTION 2.** 48.396 (2) (f) of the statutes is created to read:

20 48.396 (2) (f) Upon request of the department of corrections to review court  
21 records for the purpose of obtaining information concerning a child required to  
22 register under s. 301.45, the court shall open for inspection by authorized  
23 representatives of the department of corrections the records of the court relating to

1 any child who has been found in need of protection or services for an offense specified  
2 in s. 301.45 (1) (a). The department of corrections may disclose information that it  
3 obtains under this paragraph as provided under s. 301.46.

4 **SECTION 3.** 51.20 (13) (cr) of the statutes, as affected by 1995 Wisconsin Act 77,  
5 is amended to read:

6 51.20 (13) (cr) If the subject individual is before the court on a petition filed  
7 under a court order under s. 938.30 (5) (c) 1. and is found to have committed a  
8 violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025, the court shall require  
9 the individual to provide a biological specimen to the state crime laboratories for  
10 deoxyribonucleic acid analysis ~~and to comply with the reporting and testing~~  
11 ~~requirements of s. 175.45.~~

12 **SECTION 4.** 51.20 (13) (ct) of the statutes is created to read:

13 51.20 (13) (ct) 1. If the subject individual is before the court on a petition filed  
14 under a court order under s. 938.30 (5) (c) 1. and is found to have committed a  
15 violation, or to have solicited, conspired or attempted to commit a violation, of s.  
16 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06,  
17 948.07, 948.08 or 948.11, the court shall require the individual to comply with the  
18 reporting requirements under s. 301.45.

19 2. Except as provided in subd. 1., if the subject individual is before the court  
20 on a petition filed under a court order under s. 938.30 (5) (c) 1. and is found to have  
21 committed any violation, or to have solicited, conspired or attempted to commit any  
22 violation, of ch. 940, 944 or 948 or ss. 943.01 to 943.15, the court may require the  
23 subject individual to comply with the reporting requirements under s. 301.45 if the  
24 court determines that the underlying conduct was sexually motivated, as defined in

1 s. 980.01 (5), and that it would be in the interest of public protection to have the  
2 subject individual report under s. 301.45.

3 **SECTION 5.** 51.30 (3) (d) of the statutes is created to read:

4 51.30 (3) (d) The department of corrections shall have access to the files and  
5 records of court proceedings under this chapter concerning an individual required to  
6 register under s. 301.45. The department of corrections may disclose information  
7 that it obtains under this paragraph as provided under s. 301.46.

8 **SECTION 6.** 51.30 (4) (b) 24. of the statutes is created to read:

9 51.30 (4) (b) 24. To the department of corrections for the purpose of obtaining  
10 information concerning a person required to register under s. 301.45. The  
11 department of corrections may disclose information that it receives under this  
12 subdivision as provided under s. 301.46.

13 **SECTION 7.** 51.375 of the statutes is created to read:

14 **51.375 Honesty testing of sex offenders. (1)** In this section:

15 (a) "Community placement" means conditional transfer into the community  
16 under s. 51.35 (1) or conditional release under s. 971.17.

17 (b) "Lie detector" has the meaning given in s. 111.37 (1) (b).

18 (c) "Polygraph" has the meaning given in s. 111.37 (1) (c).

19 (d) "Sex offender" means a person committed to the department who meets any  
20 of the criteria specified in s. 175.45 (1), regardless of whether he or she is required  
21 to register under s. 175.45 (3).

22 (2) The department may require, as a condition of a community placement, that  
23 a sex offender submit to a lie detector test when directed to do so by the department.

24 (3) The department shall promulgate rules establishing a lie detector test  
25 program for sex offenders who are in a community placement.

1           **SECTION 8.** 51.375 (1) (a) and (d) of the statutes, as created by 1995 Wisconsin  
2 Act .... (this act), are amended to read:

3           51.375 (1) (a) “Community placement” means conditional transfer into the  
4 community under s. 51.35 (1) ~~or~~, conditional release under s. 971.17, parole from a  
5 commitment for specialized treatment under ch. 975 or conditional release under ch.  
6 980.

7           (d) “Sex offender” means a person committed to the department who meets any  
8 of the criteria specified in s. ~~175.45 (1)~~, regardless of whether he or she is required  
9 to register under s. ~~175.45 (3)~~ 301.45 (1).

10           **SECTION 9.** 165.76 (1) (d) of the statutes is created to read:

11           165.76 (1) (d) Is found to be a sexually violent person under ch. 980 on or after  
12 June 2, 1994.

13           **SECTION 10.** 165.76 (1) (e) of the statutes is created to read:

14           165.76 (1) (e) Is on parole or probation in this state from another state under  
15 s. 304.13 or 304.135 on or after the effective date of this paragraph .... [revisor inserts  
16 date], for a violation of the law of another state that the department of corrections  
17 determines, under s. 304.137, is comparable to a violation of s. 940.225 (1) or (2),  
18 948.02 (1) or (2) or 948.025.

19           **SECTION 11.** 165.76 (2) (b) 3. of the statutes is amended to read:

20           165.76 (2) (b) 3. If the person has been committed to the department of health  
21 and social services under s. 51.20 or 971.17 or found to be a sexually violent person  
22 under ch. 980, he or she shall provide the specimen under par. (a) as directed by the  
23 department of health and social services.

24           **SECTION 12.** 165.76 (2) (b) 3m. of the statutes is created to read:

1           165.76 (2) (b) 3m. If the person is on parole or probation in this state from  
2 another state under s. 304.13 or 304.135, he or she shall provide the specimen under  
3 par. (a) at the office of a county sheriff as soon as practicable after entering this state,  
4 as directed by his or her probation and parole agent.

5           **SECTION 13.** 165.76 (2) (b) 4. of the statutes is created to read:

6           165.76 (2) (b) 4. If subds. 1. to 3m. do not apply, the department of justice shall  
7 specify in its order the time and procedure for the person to provide the specimen  
8 under par. (a).

9           **SECTION 14.** 165.76 (2) (b) 6. of the statutes is created to read:

10           165.76 (2) (b) 6. Notwithstanding subd. 3m., for a person who is subject to sub.  
11 (1) (e) and who is on parole or probation in this state from another state on the  
12 effective date of this subdivision .... [revisor inserts date], the department of justice  
13 and the department of corrections shall cooperate to have these persons provide  
14 specimens under par. (a) before July 1, 2000.

15           **SECTION 15.** 165.76 (3) of the statutes is amended to read:

16           165.76 (3) If a person is required to submit a biological specimen under s. 48.34  
17 (15), 51.20 (13) (cr), 971.17 (1m) ~~or (a)~~, 973.047 or 980.063, he or she shall comply with  
18 that requirement and is not required to comply with this section.

19           **SECTION 16.** 165.76 (3) of the statutes, as affected by 1995 Wisconsin Acts 77  
20 and .... (this act), is repealed and recreated to read:

21           165.76 (3) If a person is required to submit a biological specimen under s. 51.20  
22 (13) (cr), 938.34 (15), 971.17 (1m) (a), 973.047 or 980.063, he or she shall comply with  
23 that requirement and is not required to comply with this section.

24           **SECTION 17.** 165.765 (1) of the statutes is amended to read:

1           165.765 (1) Whoever intentionally fails to comply with a requirement to submit  
2 a biological specimen under s. 48.34 (15), 165.76 ~~or~~, 973.047 or 980.063 may be fined  
3 not more than \$10,000 or imprisoned for not more than 9 months or both.

4           **SECTION 18.** 165.765 (1) of the statutes, as affected by 1995 Wisconsin Acts 77  
5 and .... (this act), is repealed and recreated to read:

6           165.765 (1) Whoever intentionally fails to comply with a requirement to submit  
7 a biological specimen under s. 165.76, 938.34 (15), 973.047 or 980.063 may be fined  
8 not more than \$10,000 or imprisoned for not more than 9 months or both.

9           **SECTION 19.** 165.765 (2) (a) of the statutes is amended to read:

10           165.765 (2) (a) Any physician, registered nurse, medical technologist,  
11 physician assistant or person acting under the direction of a physician who obtains  
12 a biological specimen under s. 48.34 (15), 165.76 ~~or~~, 973.047 or 980.063 is immune  
13 from any civil or criminal liability for the act, except for civil liability for negligence  
14 in the performance of the act.

15           **SECTION 20.** 165.765 (2) (a) of the statutes, as affected by 1995 Wisconsin Acts  
16 77 and .... (this act), is repealed and recreated to read:

17           165.765 (2) (a) Any physician, registered nurse, medical technologist,  
18 physician assistant or person acting under the direction of a physician who obtains  
19 a biological specimen under s. 165.76, 938.34 (15), 973.047 or 980.063 is immune  
20 from any civil or criminal liability for the act, except for civil liability for negligence  
21 in the performance of the act.

22           **SECTION 21.** 165.77 (2) (b) of the statutes is amended to read:

23           165.77 (2) (b) Paragraph (a) does not apply to specimens received under s. 48.34  
24 (15), 51.20 (13) (cr), 165.76, 971.17 (1m) ~~or (a)~~, 973.047 or 980.063.

1           **SECTION 22.** 165.77 (2) (b) of the statutes, as affected by 1995 Wisconsin Acts  
2 77 and .... (this act), is repealed and recreated to read:

3           165.77 (2) (b) Paragraph (a) does not apply to specimens received under s. 51.20  
4 (13) (cr), 165.76, 938.34 (15), 971.17 (1m) (a), 973.047 or 980.063.

5           **SECTION 23.** 165.77 (3) of the statutes is amended to read:

6           165.77 (3) If the laboratories receive a human biological specimen under s.  
7 48.34 (15), 51.20 (13) (cr), 165.76, 971.17 (1m) ~~or (a)~~, 973.047 or 980.063, the  
8 laboratories shall analyze the deoxyribonucleic acid in the specimen. The  
9 laboratories shall maintain a data bank based on data obtained from  
10 deoxyribonucleic acid analysis of those specimens. The laboratories may compare  
11 the data obtained from one specimen with the data obtained from other specimens.  
12 The laboratories may make data obtained from any analysis and comparison  
13 available to law enforcement agencies in connection with criminal or delinquency  
14 investigations and, upon request, to any prosecutor, defense attorney or subject of  
15 the data. The data may be used in criminal and delinquency actions and proceedings.  
16 In this state, the use is subject to s. 972.11 (5). The laboratories shall destroy  
17 specimens obtained under this subsection after analysis has been completed and the  
18 applicable court proceedings have concluded.

19           **SECTION 24.** 165.77 (3) of the statutes, as affected by 1995 Wisconsin Acts 77  
20 and .... (this act), is repealed and recreated to read:

21           165.77 (3) If the laboratories receive a human biological specimen under s.  
22 51.20 (13) (cr), 165.76, 938.34 (15), 971.17 (1m) (a), 973.047 or 980.063, the  
23 laboratories shall analyze the deoxyribonucleic acid in the specimen. The  
24 laboratories shall maintain a data bank based on data obtained from  
25 deoxyribonucleic acid analysis of those specimens. The laboratories may compare

1 the data obtained from one specimen with the data obtained from other specimens.  
2 The laboratories may make data obtained from any analysis and comparison  
3 available to law enforcement agencies in connection with criminal or delinquency  
4 investigations and, upon request, to any prosecutor, defense attorney or subject of  
5 the data. The data may be used in criminal and delinquency actions and proceedings.  
6 In this state, the use is subject to s. 972.11 (5). The laboratories shall destroy  
7 specimens obtained under this subsection after analysis has been completed and the  
8 applicable court proceedings have concluded.

9 **SECTION 25.** 165.8285 of the statutes is created to read:

10 **165.8285 Transaction information for management of enforcement**  
11 **system; department of corrections records.** (1) The department of justice shall,  
12 through the transaction information for management of enforcement system,  
13 provide local law enforcement agencies with access to the registry of sex offenders  
14 maintained by the department of corrections under s. 301.45.

15 (2) The department of justice shall provide the department of corrections with  
16 access to the transaction information for management of enforcement system  
17 administrative message process.

18 (3) Beginning on the effective date of this subsection .... [revisor inserts date],  
19 the department of justice and the department of corrections shall cooperate in using  
20 the transaction information for management of enforcement system, and in  
21 developing or using any other computerized or direct electronic data transfer system,  
22 in anticipation of the transfer of the sex offender registry from the department of  
23 justice to the department of corrections under 1995 Wisconsin Act .... (this act) and  
24 for the purpose of providing access to or disseminating information from the sex  
25 offender registry under s. 301.45.

1           **SECTION 26.** 175.45 (title) of the statutes is renumbered 301.45 (title).

2           **SECTION 27.** 175.45 (1) (intro.) of the statutes is renumbered 301.45 (1) (intro.).

3           **SECTION 28.** 175.45 (1) (a) of the statutes is renumbered 301.45 (1) (a) and  
4 amended to read:

5           301.45 (1) (a) Is convicted, adjudicated delinquent or found in need of  
6 protection or services on or after December 25, 1993, for any violation, or for the  
7 solicitation, conspiracy or attempt to commit any violation, of s. 940.22 (2), 940.225  
8 (1) or, (2) or (3), 944.06, 948.02 (1) or (2) or, 948.025, 948.05, 948.055, 948.06, 948.07,  
9 948.08 or 948.11.

10           **SECTION 29.** 175.45 (1) (b) of the statutes, as affected by 1995 Wisconsin Act 77,  
11 is renumbered 301.45 (1) (b) and amended to read:

12           301.45 (1) (b) Is in prison, a secured correctional facility, as defined in s. 938.02  
13 (15m), or a secured child caring institution, as defined in s. 938.02 (15g), or on  
14 probation, parole, supervision or aftercare supervision on or after December 25,  
15 1993, for any violation, for the solicitation, conspiracy or attempt to commit any  
16 violation, of s. 940.22 (2), 940.225 (1) or, (2) or (3), 944.06, 948.02 (1) or (2) or, 948.025,  
17 948.05, 948.055, 948.06, 948.07, 948.08 or 948.11.

18           **SECTION 30.** 175.45 (1) (c) of the statutes is renumbered 301.45 (1) (c) and  
19 amended to read:

20           301.45 (1) (c) Is found not guilty or not responsible by reason of mental disease  
21 or defect on or after December 25, 1993, and committed under s. 51.20 or 971.17 for  
22 any violation, or for the solicitation, conspiracy or attempt to commit any violation,  
23 of s. 940.22 (2), 940.225 (1) or, (2) or (3), 944.06, 948.02 (1) or (2) or, 948.025, 948.05,  
24 948.055, 948.06, 948.07, 948.08 or 948.11.

1           **SECTION 31.** 175.45 (1) (d) of the statutes is renumbered 301.45 (1) (d) and  
2 amended to read:

3           301.45 (1) (d) Is in institutional care or on conditional transfer under s. 51.35  
4 (1) or conditional release under s. 971.17 on or after December 25, 1993, for any  
5 violation, or for the solicitation, conspiracy or attempt to commit any violation, of s.  
6 940.22 (2), 940.225 (1) or, (2) or (3), 944.06, 948.02 (1) or (2) or, 948.025, 948.05,  
7 948.055, 948.06, 948.07, 948.08 or 948.11.

8           **SECTION 32.** 175.45 (1) (e) of the statutes, as affected by 1995 Wisconsin Act 77,  
9 is renumbered 301.45 (1) (e) and amended to read:

10           301.45 (1) (e) Is ordered by a court under s. 51.20 (13) ~~(cr)~~ (ct), 938.34 ~~(15)~~ (15m),  
11 971.17 (1m) (b) 2. or ~~973.047~~ 973.048 to comply with the reporting requirements  
12 under this section.

13           **SECTION 33.** 175.45 (2) (title) of the statutes is renumbered 301.45 (2) (title) and  
14 amended to read:

15           301.45 (2) (title) WHAT INFORMATION MUST BE PROVIDED, BY WHOM AND WHEN.

16           **SECTION 34.** 175.45 (2) of the statutes is renumbered 301.45 (2) (c) and  
17 amended to read:

18           301.45 (2) (c) A. If the department of health and family services has supervision  
19 over a person subject to sub. (1), that department, with the assistance of the person,  
20 shall provide the information about ~~his or her~~ home address, place of school  
21 enrollment, place of employment and employment duties specified in par. (a) to the  
22 department of justice corrections in accordance with the rules under sub. (8).

23           **SECTION 35.** 175.45 (3) (title) of the statutes is renumbered 301.45 (3) (title).

24           **SECTION 36.** 175.45 (3) (a) (intro.) of the statutes is renumbered 301.45 (3) (a)  
25 (intro.).

1           **SECTION 37.** 175.45 (3) (a) 1. of the statutes is renumbered 301.45 (3) (a) 1. and  
2 amended to read:

3           301.45 (3) (a) 1. If the person has been placed on probation or supervision, he  
4 or she is subject to this subsection ~~after he or she is discharged from~~ upon being  
5 placed on probation or supervision.

6           **SECTION 38.** 175.45 (3) (a) 2. of the statutes, as affected by 1995 Wisconsin Act  
7 77, is renumbered 301.45 (3) (a) 2. and amended to read:

8           301.45 (3) (a) 2. If the person has been sentenced to prison or placed in a secured  
9 correctional facility or a secured child caring institution, he or she is subject to this  
10 subsection ~~after he or she is discharged from~~ upon being released on parole or  
11 aftercare supervision.

12           **SECTION 39.** 175.45 (3) (a) 3. of the statutes is renumbered 301.45 (3) (a) 3. and  
13 amended to read:

14           301.45 (3) (a) 3. If the person has been committed under s. 51.20 or 971.17, he  
15 or she is subject to this subsection after upon being placed on conditional release  
16 under s. 971.17 or on a conditional transfer under s. 51.35 (1) or, if he or she was not  
17 placed on conditional release or on a conditional transfer, before he or she is  
18 terminated under s. 971.17 (5) or discharged under s. 51.35 (4) or 971.17 (6).

19           **SECTION 40.** 175.45 (3) (a) 4. of the statutes is renumbered 301.45 (3) (a) 4. and  
20 amended to read:

21           301.45 (3) (a) 4. If subd. 1., 1m., 2. ~~or~~, 2m., 3., 3g. or 3r. does not apply, the person  
22 is subject to this subsection after he or she is sentenced or receives a disposition.

23           **SECTION 41.** 175.45 (3) (b) of the statutes is renumbered 301.45 (3) (b) 1. and  
24 amended to read:

1           301.45 (3) (b) 1. ~~A~~ Except as provided in subd. 1m., a person who is subject  
2 to par. (a) shall notify the department of justice once each calendar year, as directed  
3 by the department, of his or her current information specified in sub. (2) (a). The  
4 department shall annually notify registrants of their need to comply with this  
5 requirement.

6           2. The department shall notify a person who is being released from prison  
7 because he or she has reached the expiration date of his or her sentence and who is  
8 covered under sub. (1) of the need to comply with this section. Also, probation and  
9 parole agents, aftercare agents and agencies providing supervision shall notify any  
10 client who is covered under sub. (1) of this requirement prior to the client's expected  
11 date of discharge from the need to comply with this section at the time the client is  
12 placed on probation, parole, supervision or aftercare supervision or, if the client is on  
13 probation or parole from another state under s. 304.13 or 304.135, when the client  
14 enters this state.

15           4. Failure to receive this notice under this paragraph from the department of  
16 health and family services, the department of corrections, a probation and parole  
17 agent, an aftercare agent or an agency providing supervision is not a defense to  
18 liability under sub. (6).

19           **SECTION 42.** 175.45 (4) of the statutes is renumbered 301.45 (4) and amended  
20 to read:

21           301.45 (4) UPDATED INFORMATION. In addition to the requirements under sub.  
22 (3), whenever any of the information under sub. (2) (a) changes, the person shall  
23 provide the department of justice with the updated information within 14 10 days  
24 after the change occurs.

1           **SECTION 43.** 175.45 (5) of the statutes, as affected by 1995 Wisconsin Act 77, is  
2           renumbered 301.45 (5) (a), and 301.45 (5) (a) (intro.), 2. and 4., as renumbered, are  
3           amended to read:

4           301.45 (5) (a) (intro.) ~~A~~ Except as provided in par. (b), a person who is covered  
5           under sub. (1) no longer has to comply with this section when the following applicable  
6           criterion is met:

7           2. If the person has been sentenced to prison or placed in a secured correctional  
8           facility or a secured child caring institution, 15 years after discharge from prison,  
9           parole or aftercare supervision.

10          4. If ~~par. (a), (b) or (c)~~ subd. 1., 1m., 2., 3. or 3m. does not apply, 15 years after  
11          the date of conviction or disposition.

12          **SECTION 44.** 175.45 (6) of the statutes is renumbered 301.45 (6), and 301.45 (6)  
13          (a), as renumbered, is amended to read:

14          301.45 (6) (a) Whoever intentionally fails to comply with any requirement to  
15          provide information under subs. (2) to (4) may be fined not more than \$10,000 or  
16          imprisoned for not more than 9 months or both. Subject to s. 971.19 (9), a district  
17          attorney or, upon the request of a district attorney, the department of justice may  
18          prosecute a violation of this subsection. If the department of justice corrections  
19          determines that there is probable cause to believe that a person has intentionally  
20          failed to comply with any requirement to provide information under subs. (2) to (4),  
21          the department shall forward a certified copy of all pertinent departmental  
22          information to the applicable district attorney. The department shall certify the copy  
23          in accordance with s. 889.08.

24          **SECTION 45.** 175.45 (7) (title) of the statutes is renumbered 301.45 (7) (title) and  
25          amended to read:

1           301.45 (7) (title) ~~DEPARTMENT OF JUSTICE; INFORMATION~~ INFORMATION  
2 MAINTENANCE AND EXPUNGEMENT.

3           **SECTION 46.** 175.45 (7) (a) of the statutes is renumbered 301.45 (7) (a) and  
4 amended to read:

5           301.45 (7) (a) The department of justice shall maintain information provided  
6 under sub. (2). The department shall keep the information confidential except as  
7 provided in s. 301.46 and except as needed for law enforcement purposes.

8           **SECTION 47.** 175.45 (7) (b) of the statutes is renumbered 301.45 (7) (b).

9           **SECTION 48.** 175.45 (7) (c) of the statutes is renumbered 301.45 (7) (c), and  
10 301.45 (7) (c) (intro.), as renumbered, is amended to read:

11           301.45 (7) (c) (intro.) A person who has provided about whom information is  
12 maintained in the registry under sub. (2) may request expungement of all pertinent  
13 ~~departmental~~ information in the registry on the grounds that his or her conviction,  
14 delinquency adjudication, finding of need of protection or services or commitment  
15 has been reversed, set aside or vacated. The department shall purge all of that  
16 information if the department receives all of the following:

17           **SECTION 49.** 175.45 (8) of the statutes is renumbered 301.45 (8) and amended  
18 to read:

19           301.45 (8) RULES. The department of justice shall promulgate rules necessary  
20 to carry out its duties under this section.

21           **SECTION 50.** 175.45 (9) of the statutes, as affected by 1995 Wisconsin Act 27,  
22 is repealed.

23           **SECTION 51.** 301.132 of the statutes is created to read:

24           **301.132 Honesty testing of sex offenders. (1)** In this section:

25           (a) "Lie detector" has the meaning given in s. 111.37 (1) (b).

1 (b) "Polygraph" has the meaning given in s. 111.37 (1) (c).

2 (c) "Sex offender" means a person in the custody of the department who meets  
3 any of the criteria specified in s. 175.45 (1), regardless of whether he or she is required  
4 to register under s. 175.45 (3).

5 (2) The department may require, as a condition of probation or parole, that a  
6 probationer or parolee who is a sex offender submit to a lie detector test when  
7 directed to do so by the department.

8 (3) The department shall promulgate rules establishing a lie detector test  
9 program for probationers and parolees who are sex offenders. The rules shall provide  
10 for assessment of fees upon probationers and parolees to partially offset the costs of  
11 the program.

12 **SECTION 52.** 301.132 (1) (c) of the statutes, as created by 1995 Wisconsin Act  
13 .... (this act), is amended to read:

14 301.132 (1) (c) "Sex offender" means a person in the custody of the department  
15 who meets any of the criteria specified in s. 175.45 (1), regardless of whether he or  
16 she is required to register under s. 175.45 (3) 301.45 (1).

17 **SECTION 53.** 301.45 (1) (bm) of the statutes is created to read:

18 301.45 (1) (bm) Is in prison, a secured correctional facility, as defined in s.  
19 938.02 (15m), or a secured child caring institution, as defined in s. 938.02 (15g), or  
20 on probation, parole, supervision or aftercare supervision on or after December 25,  
21 1993, for a violation, or for the solicitation, conspiracy or attempt to commit a  
22 violation, of a law of this state that is comparable to s. 940.22 (2), 940.225 (1), (2) or  
23 (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08 or  
24 948.11.

25 **SECTION 54.** 301.45 (1) (dd) of the statutes is created to read:

1           301.45 (1) (dd) Is in institutional care or on conditional transfer under s. 51.35  
2 (1) or conditional release under s. 971.17 on or after December 25, 1993, for a  
3 violation, or for the solicitation, conspiracy or attempt to commit a violation, of a law  
4 of this state that is comparable to s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02  
5 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08 or 948.11.

6           **SECTION 55.** 301.45 (1) (dh) of the statutes is created to read:

7           301.45 (1) (dh) Is on parole or probation in this state from another state under  
8 s. 304.13 or 304.135 on or after December 25, 1993, for a violation, or for the  
9 solicitation, conspiracy or attempt to commit a violation, of the law of another state  
10 that is comparable to a violation of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02  
11 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08 or 948.11.

12           **SECTION 56.** 301.45 (1) (dp) of the statutes is created to read:

13           301.45 (1) (dp) Is in institutional care under, or on parole from, a commitment  
14 for specialized treatment under ch. 975 on or after December 25, 1993.

15           **SECTION 57.** 301.45 (1) (dt) of the statutes is created to read:

16           301.45 (1) (dt) Is in institutional care or on conditional release under ch. 980  
17 on or after June 2, 1994.

18           **SECTION 58.** 301.45 (2) (a) of the statutes is created to read:

19           301.45 (2) (a) The department shall maintain a registry of all persons subject  
20 to sub. (1). The registry shall contain all of the following with respect to each person:

- 21           1. The person's name, including any aliases used by the person.
- 22           2. Information sufficient to identify the person, including date of birth, gender,  
23 race, height, weight and hair and eye color.
- 24           3. The statute the person violated that subjects the person to the requirements  
25 of this section, the date of conviction, adjudication or commitment, and the county

1 or, if the state is not this state, the state in which the person was convicted,  
2 adjudicated or committed.

3 4. Whichever of the following is applicable:

4 a. The date the person was placed on probation, supervision, conditional  
5 release, conditional transfer or supervised release.

6 b. The date the person was or is to be released from confinement, whether on  
7 parole or otherwise, or discharged or terminated from a sentence or commitment.

8 c. The date the person entered the state.

9 d. The date the person was ordered to comply with s. 301.45.

10 5. The address at which the person is or will be residing.

11 6. The name of the agency supervising the person, if applicable, and the office  
12 or unit and telephone number of the office or unit that is responsible for the  
13 supervision of the person.

14 7. A description of any motor vehicle that the person owns or that is registered  
15 in the person's name. The information provided under this paragraph shall include  
16 a description of the vehicle, including make, model, license number and any other  
17 information which the department may reasonably require for proper identification  
18 of the vehicle.

19 8. The name and address of the place at which the person is or will be employed.

20 9. The name and location of any school in which the person is or will be enrolled.

21 10. The most recent date on which the information in the registry was updated.

22 **SECTION 59.** 301.45 (2) (b) of the statutes is created to read:

23 301.45 (2) (b) If the department has supervision over a person subject to sub.  
24 (1), the department shall enter into the registry under this section the information  
25 specified in par. (a) concerning the person.

1           **SECTION 60.** 301.45 (2) (d) of the statutes is created to read:

2           301.45 (2) (d) A person subject to sub. (1) who is not under the supervision of  
3 the department of corrections or the department of health and family services shall  
4 provide the information specified in par. (a) to the department of corrections in  
5 accordance with the rules under sub. (8). If the person is unable to provide an item  
6 of information specified in par. (a), the department of corrections may request  
7 assistance from a circuit court or the department of health and family services in  
8 obtaining that item of information. A circuit court and the department of health and  
9 family services shall assist the department of corrections when requested to do so  
10 under this paragraph.

11           **SECTION 61.** 301.45 (2) (e) of the statutes is created to read:

12           301.45 (2) (e) The department of health and family services shall provide the  
13 information required under par. (c) or the person subject to sub. (1) shall provide the  
14 information required under par. (d) in accordance with whichever of the following is  
15 applicable:

16           1. Within 10 days after the person being placed on parole, probation,  
17 supervision, aftercare supervision, conditional release or supervised release.

18           2. If the person is on parole or probation from another state under s. 304.13 or  
19 304.135, within 10 days after the person enters this state.

20           3. No later than 10 days before the person is terminated or discharged from a  
21 commitment.

22           4. If the person is being released from prison because he or she has reached the  
23 expiration date of his or her sentence, no later than 10 days before being released  
24 from prison.

1           5. If subd. 1., 2., 3. or 4. does not apply, within 10 days after the person is  
2 sentenced or receives a disposition.

3           **SECTION 62.** 301.45 (3) (a) 1m. of the statutes is created to read:

4           301.45 (3) (a) 1m. If the person is on parole or probation from another state  
5 under s. 304.13 or 304.135, he or she is subject to this subsection upon entering this  
6 state.

7           **SECTION 63.** 301.45 (3) (a) 2m. of the statutes is created to read:

8           301.45 (3) (a) 2m. If the person has been sentenced to prison and is being  
9 released from prison because he or she has reached the expiration date of his or her  
10 sentence, before being released from prison.

11          **SECTION 64.** 301.45 (3) (a) 3g. of the statutes is created to read:

12          301.45 (3) (a) 3g. If the person has been committed for specialized treatment  
13 under ch. 975, he or she is subject to this subsection upon being released on parole  
14 under s. 975.10 or, if he or she was not released on parole, before being discharged  
15 from the commitment under s. 975.09 or 975.12.

16          **SECTION 65.** 301.45 (3) (a) 3r. of the statutes is created to read:

17          301.45 (3) (a) 3r. If the person has been committed under ch. 980, he or she is  
18 subject to this subsection upon being placed on supervised release under s. 980.06  
19 (2) or 980.08 or, if he or she was not placed on supervised release, before being  
20 discharged under s. 980.09 or 980.10.

21          **SECTION 66.** 301.45 (3) (b) 1m. of the statutes is created to read:

22          301.45 (3) (b) 1m. A person who is subject to par. (a) because he or she is covered  
23 under sub. (1) (dt) shall notify the department once each 90 days, as directed by the  
24 department, of his or her current information specified in sub. (2) (a). Every 90 days,

1 the department shall notify registrants subject to this subdivision of their need to  
2 comply with this requirement.

3 **SECTION 67.** 301.45 (3) (b) 3. of the statutes is created to read:

4 301.45 (3) (b) 3. The department of health and family services shall notify a  
5 person who is being placed on conditional release, conditional transfer or parole, or  
6 is being terminated or discharged from a commitment, under s. 51.20, 51.35 or  
7 971.17 or ch. 975 or 980 and who is covered under sub. (1) of the need to comply with  
8 this section.

9 **SECTION 68.** 301.45 (3) (b) 3m. of the statutes is created to read:

10 301.45 (3) (b) 3m. After notifying a person under subd. 2. or 3. of the need to  
11 comply with this section, the person who is providing the notification shall require  
12 the person who is covered under sub. (1) to read and sign a form stating that he or  
13 she has been informed of the requirements of this section.

14 **SECTION 69.** 301.45 (4m) of the statutes is created to read:

15 301.45 (4m) INFORMATION CONCERNING A MOVE TO ANOTHER STATE. In addition to  
16 the requirements under subs. (3) and (4), a person who is covered under sub. (1) and  
17 who is changing his or her residence from this state to another state shall, no later  
18 than 10 days before he or she moves out of this state, notify the department that he  
19 or she is changing his or her residence from this state and inform the department of  
20 the state to which he or she is moving his or her residence. Upon receiving  
21 notification from a person under this subsection, the department shall inform the  
22 person whether the state to which the person is moving has sex offender registration  
23 requirements to which the person may be subject and, if so, the name of the agency  
24 to contact in that state for information concerning those requirements.

25 **SECTION 70.** 301.45 (5) (a) 1m. of the statutes is created to read:

1           301.45 (5) (a) 1m. If the person is on parole or probation from another state  
2 under s. 304.13 or 304.135, 15 years after discharge from that parole or probation.

3           **SECTION 71.** 301.45 (5) (a) 3m. of the statutes is created to read:

4           301.45 (5) (a) 3m. If the person has been committed for specialized treatment  
5 under ch. 975, 15 years after discharge from the commitment under s. 975.09 or  
6 975.12.

7           **SECTION 72.** 301.45 (5) (b) of the statutes is created to read:

8           301.45 (5) (b) A person who is covered under sub. (1) shall continue to comply  
9 with the requirements of this section until his or her death if any of the following  
10 apply:

11           1. The person has, on 2 or more separate occasions, been convicted or found not  
12 guilty or not responsible by reason of mental disease or defect for any violation, or  
13 for the solicitation, conspiracy or attempt to commit any violation, of s. 940.22 (2),  
14 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06,  
15 948.07, 948.08 or 948.11 or for any violation, or for the solicitation, conspiracy or  
16 attempt to commit any violation, of a law of this state or any other state that is  
17 comparable to a violation of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02 (1) or  
18 (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08 or 948.11. A conviction that has  
19 been reversed, set aside or vacated is not a conviction for purposes of determining  
20 under this subdivision whether a person has been convicted on 2 or more separate  
21 occasions.

22           2. The person has been found to be a sexually violent person under ch. 980.

23           **SECTION 73.** 301.45 (6) (c) of the statutes is created to read:

24           301.45 (6) (c) Notwithstanding pars. (a) and (b), a person who first became  
25 subject to subs. (2) to (4) under 1995 Wisconsin Act .... (this act) and who was in prison

1 or a secured correctional facility or a secured child caring institution, in institutional  
2 care, or on probation, parole, supervision, aftercare supervision, corrective sanctions  
3 supervision, conditional transfer or conditional release during the period beginning  
4 on December 25, 1993, and ending on the day before the effective date of this  
5 paragraph .... [revisor inserts date], shall be allowed until the first day of the 7th  
6 month beginning after the effective date of this paragraph .... [revisor inserts date],  
7 to comply with the requirements under subs. (2) to (4).

8 **SECTION 74.** 301.45 (9) of the statutes is created to read:

9 301.45 (9) COOPERATION. The department of health and family services, the  
10 department of industry, labor and job development, the department of  
11 transportation and all circuit courts shall cooperate with the department of  
12 corrections in obtaining information under this section.

13 **SECTION 75.** 301.46 of the statutes is created to read:

14 **301.46 Access to information concerning sex offenders. (1) DEFINITIONS.**  
15 In this section “agency with jurisdiction” means the state agency with the authority  
16 or duty to confine or supervise a person or release or discharge a person from  
17 confinement.

18 **(2) ACCESS FOR LAW ENFORCEMENT AGENCIES.** (a) When a person is registered  
19 with the department under s. 301.45 (2), the department shall immediately make the  
20 information specified in par. (b) available to the police chief of any community and  
21 the sheriff of any county in which the person is residing, is employed or is attending  
22 school. The department shall make information available under this paragraph  
23 through a direct electronic data transfer system.

24 (b) The department shall make all of the following information available under  
25 par. (a):

- 1           1. The person’s name, including any aliases used by the person.
- 2           2. Information sufficient to identify the person, including date of birth, gender,  
3 race, height, weight and hair and eye color.
- 4           3. The statute the person violated, the date of conviction, adjudication or  
5 commitment, and the county or, if the state is not this state, the state in which the  
6 person was convicted, adjudicated or committed.
- 7           4. Whichever of the following is applicable:
  - 8           a. The date the person was placed on probation, supervision, conditional  
9 release, conditional transfer or supervised release.
  - 10           b. The date the person was released from confinement, whether on parole or  
11 otherwise, or discharged or terminated from a sentence or commitment.
  - 12           c. The date the person entered the state.
  - 13           d. The date the person was ordered to comply with s. 301.45.
- 14           5. The address at which the person is residing.
- 15           6. The name of the agency supervising the person, if applicable, and the office  
16 or unit and telephone number of the office or unit that is responsible for the  
17 supervision of the person.
- 18           7. A description of any motor vehicle that the person owns or that is registered  
19 in the person’s name, including the information provided by the person under s.  
20 301.45 (2) (a) 7.
- 21           8. The name and address of the place at which the person is employed.
- 22           9. The name and location of any school in which the person is enrolled.
- 23           10. The most recent date on which the information under s. 301.45 was  
24 updated.

1 (c) When a person who is registered under s. 301.45 (2) updates information  
2 under s. 301.45 (4), the department shall immediately make the updated information  
3 available to the police chief of any community and the sheriff of any county in which  
4 the person is residing, is employed or is attending school. The department shall  
5 make the updated information available under this paragraph through a direct  
6 electronic data transfer system.

7 (d) In addition to having access to information under pars. (a) and (c), a police  
8 chief or sheriff may request that the department provide the police chief or sheriff  
9 with information concerning any person registered under s. 301.45.

10 (e) A police chief or sheriff may provide any of the information to which he or  
11 she has access under this subsection, other than information specified in subs. (4)  
12 (ag) and (5) (c), to an entity in the police chief's community or the sheriff's county that  
13 is entitled to request information under sub. (4) or to any person requesting  
14 information under sub. (5) if, in the opinion of the police chief or sheriff, providing  
15 that information is necessary to protect the public.

16 **(2m)** BULLETINS TO LAW ENFORCEMENT AGENCIES. (a) If an agency with  
17 jurisdiction confines a person under s. 301.046, provides a person entering the  
18 intensive sanctions program under s. 301.048 with a sanction other than a placement  
19 in a Type 1 prison or a jail, or releases a person from confinement or institutional  
20 care, and the person has, on one occasion only, been convicted or found not guilty or  
21 not responsible by reason of mental disease or defect for any violation, or for the  
22 solicitation, conspiracy or attempt to commit any violation, of s. 940.22 (2), 940.225  
23 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07,  
24 948.08 or 948.11 or a law of this state that is comparable to s. 940.22 (2), 940.225 (1),  
25 (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08

1 or 948.11, the agency with jurisdiction may notify the police chief of any community  
2 and the sheriff of any county in which the person will be residing, employed or  
3 attending school if the agency with jurisdiction determines that such notification is  
4 necessary to protect the public. Notification under this paragraph may be in addition  
5 to providing access to information under sub. (2) or to any other notification that an  
6 agency with jurisdiction is authorized to provide.

7 (am) If an agency with jurisdiction confines a person under s. 301.046, provides  
8 a person entering the intensive sanctions program under s. 301.048 with a sanction  
9 other than a placement in a Type 1 prison or a jail, or releases a person from  
10 confinement or institutional care, and the person has been found to be a sexually  
11 violent person under ch. 980 or has, on 2 or more separate occasions, been convicted  
12 or found not guilty or not responsible by reason of mental disease or defect for any  
13 violation, or for the solicitation, conspiracy or attempt to commit any violation, of s.  
14 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055,  
15 948.06, 948.07, 948.08 or 948.11 or a law of this state that is comparable to s. 940.22  
16 (2), 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06,  
17 948.07, 948.08 or 948.11, the agency with jurisdiction shall notify the police chief of  
18 any community and the sheriff of any county in which the person will be residing,  
19 employed or attending school. Notification under this paragraph shall be in addition  
20 to providing access to information under sub. (2) and to any other notification that  
21 an agency with jurisdiction is authorized to provide.

22 (b) The notification under par. (a) or (am) shall be in the form of a written  
23 bulletin to the police chief or sheriff that contains all of the following:

- 24 1. The information specified in sub. (2) (b).

1           2. Any other information that the agency with jurisdiction determines is  
2 necessary to assist law enforcement officers or to protect the public. Information  
3 under this subdivision may include a photograph of the person, other identifying  
4 information and a description of the person's patterns of violation.

5           (c) A police chief or sheriff who receives a bulletin under this subsection may  
6 provide any of the information in the bulletin, other than information specified in  
7 subs. (4) (ag) and (5) (c), to an entity in the police chief's community or the sheriff's  
8 county that is entitled to request information under sub. (4) or to any person  
9 requesting information under sub. (5) if, in the opinion of the police chief or sheriff,  
10 providing that information is necessary to protect the public.

11           **(3) NOTIFICATION OF VICTIMS.** (a) In this subsection:

12           1. "Member of the family" means spouse, child, parent, sibling or legal  
13 guardian.

14           2. "Victim" means a person against whom a crime has been committed.

15           (b) When a person is registered under s. 301.45 (2) or when the person informs  
16 the department of a change in information under s. 301.45 (4), the department shall  
17 notify the victim or a member of the victim's family who has, according to the records  
18 of the department or the information provided under par. (d), requested to be notified  
19 about a person required to register under s. 301.45.

20           (c) The notice under par. (b) shall be a written notice to the victim or member  
21 of the victim's family that the person required to register under s. 301.45 and  
22 specified in the information provided under par. (d) has been registered or, if  
23 applicable, has provided the department with updated information under s. 301.45  
24 (4). The notice shall contain the information specified in sub. (2) (b) 1., 5., 6., 7. and  
25 10. or, if applicable, the updated information.

1 (d) The department of health and family services shall provide the department  
2 with access to the names of victims or the family members of victims who have  
3 completed cards requesting notification under s. 971.17 (6m) or 980.11.

4 (e) In addition to receiving the notice provided under par. (c), a person who  
5 receives notice under par. (b) may request that the department provide him or her  
6 with any of the information specified in sub. (2) (b) concerning the person required  
7 to register under s. 301.45.

8 **(4) ACCESS TO INFORMATION FOR AGENCIES AND ORGANIZATIONS OTHER THAN LAW**  
9 **ENFORCEMENT AGENCIES.** (a) Any of the following entities may request, in a form and  
10 manner specified by the department, information from the department concerning  
11 persons registered under s. 301.45:

12 1. A public or private elementary or secondary school.

13 2. A day care provider that holds a license under s. 48.65, that is certified under  
14 s. 48.651, that holds a probationary license under s. 48.69 or that is established or  
15 contracted for under s. 120.13 (14).

16 3. A child welfare agency licensed under s. 48.60.

17 4. A group home licensed under s. 48.625.

18 5. A shelter care facility licensed under s. 48.48.

19 6. A foster home or treatment foster home licensed under s. 48.62.

20 7. A county department under s. 46.21, 46.215, 46.22, 46.23, 51.42 or 51.437.

21 8. An agency providing child welfare services under s. 48.57 (2).

22 8m. The department of justice.

23 9. The department of public instruction.

24 10. The department of health and family services.

1           11. A neighborhood watch program authorized under s. 60.23 (17m) or by the  
2 law enforcement agency of a city or village.

3           12. An organized unit of the Boy Scouts of America, the Boys' Clubs of America,  
4 the Girl Scouts of America or Camp Fire Girls.

5           13. The personnel office of a sheltered workshop, as defined in s. 104.01 (6).

6           14. Any other community-based public or private, nonprofit organization that  
7 the department determines should have access to information under this subsection  
8 in the interest of protecting the public.

9           (ag) The department may not provide any of the following in response to a  
10 request under par. (a):

11           1. Any information concerning a child who is required to register under s.  
12 301.45.

13           2. If the person required to register under s. 301.45 is an adult, any information  
14 concerning a juvenile proceeding in which the person was involved.

15           (am) Subject to par. (ag), an entity may make a request under par. (a) for  
16 information concerning a specific person registered under s. 301.45.

17           (ar) Subject to par. (ag), an entity specified in par. (a) 11. may request the names  
18 of and information concerning all persons registered under s. 301.45 who reside, are  
19 employed or attend school in the entity's community, district, jurisdiction or other  
20 applicable geographical area of activity.

21           (b) In response to a request under par. (a), the department shall, subject to par.  
22 (ag), provide all of the following information:

23           1. The name of the person who has registered under s. 301.45, including any  
24 aliases the person has used.

1           2. The date of the person's conviction or commitment, and the county or, if the  
2 state is not this state, the state in which the person was convicted or committed.

3           3. The make, model and license number of any motor vehicle that the person  
4 owns or that is registered in the person's name.

5           4. The most recent date on which the information under s. 301.45 was updated.

6           (c) On the request of a police chief or a sheriff, the department shall provide the  
7 police chief or sheriff with a list of entities in the police chief's community or the  
8 sheriff's county that have requested information under par. (a) for use by the police  
9 chief or sheriff under sub. (2) (e) or (2m) (c).

10           **(5) ACCESS TO INFORMATION FOR GENERAL PUBLIC.** (a) The department or a police  
11 chief or sheriff may provide the information specified in par. (b) concerning a specific  
12 person required to register under s. 301.45 to a person who is not provided notice or  
13 access under subs. (2) to (4) if, in the opinion of the department or the police chief or  
14 sheriff, providing the information is necessary to protect the public and if the person  
15 requesting the information does all of the following:

16           1. Submits a written request for information in a form and manner prescribed  
17 by the department or the police chief or sheriff. The department or a police chief or  
18 sheriff may require that a person state, in his or her written request under this  
19 subdivision, his or her purpose for requesting the information.

20           2. Specifies by name the person about whom he or she is requesting the  
21 information.

22           4. Provides any other information the police chief or sheriff considers necessary  
23 to determine accurately whether the person specified in subd. 2. is registered under  
24 s. 301.45.

1 (b) If the department or a police chief or sheriff provides information under par.  
2 (a), the department or police chief or sheriff shall, subject to par. (c), provide all of the  
3 following concerning the person specified in the request under par. (a) 2.:

4 1. The date of the person's conviction or commitment, and the county or, if the  
5 state is not this state, the state in which the person was convicted or committed.

6 2. The make, model and license number of any motor vehicle that the person  
7 owns or that is registered in the person's name.

8 3. The most recent date on which the information under s. 301.45 was updated.

9 (c) The department or a police chief or sheriff may not provide any of the  
10 following under par. (a):

11 1. Any information concerning a child who is required to register under s.  
12 301.45.

13 2. If the person required to register under s. 301.45 is an adult, any information  
14 concerning a juvenile proceeding in which the person was involved.

15 **(6) PERIOD OF NOTIFICATION OF AND ACCESS TO INFORMATION.** (a) Except as  
16 provided in par. (b), the department or an agency with jurisdiction may provide  
17 notice of or access to information under subs. (2) to (5) concerning a person registered  
18 under s. 301.45 only during the period under s. 301.45 (5) for which the person is  
19 required to comply with s. 301.45.

20 (b) The department or an agency with jurisdiction may provide access to any  
21 information collected under s. 301.45, regardless of whether the person is still  
22 required to be registered, to a law enforcement agency for law enforcement purposes.

23 **(7) IMMUNITY.** A person acting under this section is immune from civil liability  
24 for any good faith act or omission regarding the release of information authorized  
25 under this section. The immunity under this subsection does not extend to a person

1 whose act or omission constitutes gross negligence or involves reckless, wanton or  
2 intentional misconduct.

3 (8) RULES. The department shall promulgate rules necessary to carry out its  
4 duties under this section.

5 (9) EFFECT ON OPEN RECORDS REQUESTS. This section does not prohibit the  
6 department from providing to a person, in response to that person's request under  
7 s. 19.35 to inspect or copy records of the department, information that is contained  
8 in the sex offender registry under s. 301.45 concerning a person who is in the custody  
9 or under the supervision of the department if that information is also contained in  
10 records of the department, other than the sex offender registry, that are subject to  
11 inspection or copying under s. 19.35.

12 **SECTION 76.** 304.137 of the statutes is created to read:

13 **304.137 Determination concerning submission of human biological**  
14 **specimen.** If the department accepts supervision of a probationer or parolee from  
15 another state under s. 304.13 or 304.135, the department shall determine whether  
16 the violation of law for which the person is on probation or parole is comparable to  
17 a violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025. If the department  
18 determines that a person on probation or parole from another state violated a law  
19 that is comparable to a violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025,  
20 the department shall direct the probationer or parolee to provide a biological  
21 specimen under s. 165.76.

22 **SECTION 77.** 938.185 (3) of the statutes, as created by 1995 Wisconsin Act 77,  
23 is amended to read:

24 938.185 (3) Venue for a proceeding under s. 938.12 or 938.13 (12) based on an  
25 alleged violation of s. ~~175.45~~ 301.45 (6) may be in the juvenile's county of residence

1 at the time that the petition is filed or, if the juvenile does not have a county of  
2 residence in this state at the time that the petition is filed, any county in which the  
3 juvenile has resided while subject to s. ~~175.45~~ 301.45.

4 **SECTION 78.** 938.34 (15) (title) of the statutes, as created by 1995 Wisconsin Act  
5 77, is amended to read:

6 938.34 **(15)** (title) DEOXYRIBONUCLEIC ACID ANALYSIS AND—REPORTING  
7 REQUIREMENTS.

8 **SECTION 79.** 938.34 (15) (a) 1. of the statutes, as created by 1995 Wisconsin Act  
9 77, is amended to read:

10 938.34 **(15)** (a) 1. If the juvenile is adjudicated delinquent on the basis of a  
11 violation of s. 940.225, 948.02 (1) or (2) or 948.025, the court shall require the juvenile  
12 to provide a biological specimen to the state crime laboratories for deoxyribonucleic  
13 acid analysis. ~~If the violation is of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025,~~  
14 ~~the court shall require the juvenile to comply with the reporting requirements under~~  
15 ~~s. 175.45. If the violation is of s. 940.225 (3) or (3m), the court may require the~~  
16 ~~juvenile to comply with the reporting requirements under s. 175.45 if the court~~  
17 ~~determines that the underlying conduct was seriously sexually assaultive in nature~~  
18 ~~and that it would be in the interest of public protection to have the juvenile report~~  
19 ~~under s. 175.45.~~

20 **SECTION 80.** 938.34 (15) (a) 2. of the statutes, as created by 1995 Wisconsin Act  
21 77, is amended to read:

22 938.34 **(15)** (a) 2. Except as provided in subd. 1., if the juvenile is adjudicated  
23 delinquent on the basis of any violation under ch. 940, 944 or 948 or ss. 943.01 to  
24 943.15, the court may require the juvenile to provide a biological specimen to the  
25 state crime laboratories for deoxyribonucleic acid analysis. ~~The court may require~~

1 ~~the juvenile to comply with the reporting requirements under s. 175.45 if the court~~  
2 ~~determines that the underlying conduct was seriously sexually assaultive in nature~~  
3 ~~and that it would be in the interest of public protection to have the juvenile report~~  
4 ~~under s. 175.45.~~

5 **SECTION 81.** 938.34 (15m) of the statutes is created to read:

6 **938.34 (15m) SEX OFFENDER REPORTING REQUIREMENTS.** (a) If the child is  
7 adjudicated delinquent on the basis of a violation, or the solicitation, conspiracy or  
8 attempt to commit a violation, of s. 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2),  
9 948.025, 948.05, 948.055, 948.06, 948.07, 948.08 or 948.11, the court shall require the  
10 person to comply with the reporting requirements under s. 301.45.

11 (b) Except as provided in par. (a), if the child is adjudicated delinquent on the  
12 basis of any violation, or the solicitation, conspiracy or attempt to commit any  
13 violation, under ch. 940, 944 or 948 or ss. 943.01 to 943.15, the court may require the  
14 child to comply with the reporting requirements under s. 301.45 if the court  
15 determines that the underlying conduct was sexually motivated, as defined in s.  
16 980.01 (5), and that it would be in the interest of public protection to have the child  
17 report under s. 301.45.

18 **SECTION 82.** 938.396 (2) (em) of the statutes is created to read:

19 **938.396 (2) (em)** Upon request of the department to review court records for  
20 the purpose of obtaining information concerning a child required to register under  
21 s. 301.45, the court shall open for inspection by authorized representatives of the  
22 department the records of the court relating to any child who has been adjudicated  
23 delinquent or found not responsible by reason of mental disease or defect for an  
24 offense specified in s. 301.45 (1) (a). The department may disclose information that  
25 it obtains under this paragraph as provided under s. 301.46.

1           **SECTION 83.** 939.646 of the statutes is created to read:

2           **939.646 Penalty; crimes committed using information obtained from**  
3 **the sex offender registry.** If a person commits a crime using information that was  
4 disclosed to him or her under s. 301.46, the penalties may be increased as follows:

5           (1) In case of a misdemeanor, the maximum fine prescribed by law for the crime  
6 may be increased by not more than \$1,000.

7           (2) In case of a felony, the maximum term of imprisonment prescribed by law  
8 for the crime may be increased by not more than 5 years.

9           **SECTION 84.** 942.06 (1) of the statutes is amended to read:

10           942.06 (1) No Except as provided in sub. (2m), no person may require or  
11 administer a polygraph, voice stress analysis, psychological stress evaluator or any  
12 other similar test purporting to test honesty without the prior written and informed  
13 consent of the subject.

14           **SECTION 85.** 942.06 (2) of the statutes is amended to read:

15           942.06 (2) No Except as provided in sub. (2q), no person may disclose that  
16 another person has taken a polygraph, voice stress analysis, psychological stress  
17 evaluator or any other similar test purporting to test honesty and no person may  
18 disclose the results of such a test to any person except the person tested, without the  
19 prior written and informed consent of the subject.

20           **SECTION 86.** 942.06 (2m) and (2q) of the statutes are created to read:

21           942.06 (2m) Subsection (1) does not apply to any of the following:

22           (a) An employe or agent of the department of corrections who conducts a lie  
23 detector test of a probationer or parolee under the rules promulgated under s.  
24 301.132.

1 (b) An employe or agent of the department of health and family services who  
2 conducts a lie detector test of a person under the rules promulgated under s. 51.375.

3 **(2q)** Subsection (2) does not apply to any of the following:

4 (a) An employe or agent of the department of corrections who discloses, to any  
5 of the following, the fact that a probationer or parolee has had a lie detector test  
6 under the rules promulgated under s. 301.132 or the results of such a lie detector test:

7 1. Another employe or agent of the department of corrections.

8 2. Another agency or person, if the information disclosed will be used for  
9 purposes related to correctional programming or care and treatment.

10 (b) An employe or agent of the department of health and family who discloses,  
11 to any of the following, the fact that a person has had a lie detector test under the  
12 rules promulgated under s. 51.375 or the results of such a lie detector test:

13 1. Another employe or agent of the department of health and family services.

14 2. Another agency or person, if the information disclosed will be used for  
15 purposes related to programming or care and treatment for the person.

16 **SECTION 87.** 950.045 of the statutes, as affected by 1995 Wisconsin Act 74, is  
17 amended to read:

18 **950.045 Victims; application for parole or pardon; releases; escapes;**  
19 **corrections programs.** Victims of crimes have the right to provide written  
20 statements concerning parole applications under s. 304.06 (1) (e), to have direct input  
21 in the parole decision-making process under s. 304.06 (1) (em) and to provide written  
22 statements concerning pardon applications under s. 304.10 (2). Victims of crimes  
23 have the right to be notified by district attorneys under s. 971.17 (4m) regarding  
24 conditional releases under s. 971.17. Victims of crimes have the right to be notified  
25 by the department of health and social services under s. 971.17 (6m) regarding

1 terminations or discharges under s. 971.17. Victims of crimes have the right to be  
2 notified by the department of corrections under s. 301.046 (4) regarding community  
3 residential confinements, under s. 301.048 (4m) regarding participation in the  
4 intensive sanctions program, under s. 301.38 regarding escapes from a Type 1 prison,  
5 under s. 302.115 regarding the expiration of sentences and under s. 304.063  
6 regarding parole releases. Victims of acts of sexual violence have the right to be  
7 notified by district attorneys or the department of justice under s. 980.11 regarding  
8 supervised releases under s. 980.06 and discharges under s. 980.09 or 980.10.

9 **SECTION 88.** 950.045 of the statutes, as affected by 1995 Wisconsin Act .... (this  
10 act), is repealed and recreated to read:

11 **950.045 Victims; application for parole or pardon; releases; escapes;**  
12 **corrections programs.** Victims of crimes have the right to provide written  
13 statements concerning parole applications under s. 304.06 (1) (e), to have direct input  
14 in the parole decision-making process under s. 304.06 (1) (em) and to provide written  
15 statements concerning pardon applications under s. 304.10 (2). Victims of crimes  
16 have the right to be notified by district attorneys under s. 971.17 (4m) regarding  
17 conditional releases under s. 971.17. Victims of crimes have the right to be notified  
18 by the department of health and family services under s. 971.17 (6m) regarding  
19 terminations or discharges under s. 971.17. Victims of crimes have the right to be  
20 notified by the department of corrections under s. 301.046 (4) regarding community  
21 residential confinements, under s. 301.048 (4m) regarding participation in the  
22 intensive sanctions program, under s. 301.38 regarding escapes from a Type 1 prison,  
23 under s. 302.115 regarding the expiration of sentences and under s. 304.063  
24 regarding parole releases. Victims of acts of sexual violence have the right to be  
25 notified by the department of health and family services under s. 980.11 regarding

1 supervised releases under s. 980.06 and discharges under s. 980.09 or 980.10.  
2 Victims have the right to be notified of the registration of a person and the update  
3 of information regarding that person under s. 301.46.

4 **SECTION 89.** 971.17 (1m) of the statutes is renumbered 971.17 (1m) (a) and  
5 amended to read:

6 971.17 **(1m)** (a) If the defendant under sub. (1) is found not guilty by reason of  
7 mental disease or defect for a violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or  
8 948.025, the court shall require the person to provide a biological specimen to the  
9 state crime laboratories for deoxyribonucleic acid analysis ~~and to comply with the~~  
10 ~~reporting requirements of s. 175.45.~~

11 **SECTION 90.** 971.17 (1m) (b) of the statutes is created to read:

12 971.17 **(1m)** (b) 1. If the defendant under sub. (1) is found not guilty by reason  
13 of mental disease or defect for a violation, or for the solicitation, conspiracy or  
14 attempt to commit a violation, of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02  
15 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08 or 948.11, the court shall  
16 require the defendant to comply with the reporting requirements under s. 301.45.

17 2. Except as provided in subd. 1., if the defendant under sub. (1) is found not  
18 guilty by reason of mental disease or defect for any violation, or for the solicitation,  
19 conspiracy or attempt to commit any violation, of ch. 940, 944 or 948 or ss. 943.01 to  
20 943.15, the court may require the defendant to comply with the reporting  
21 requirements under s. 301.45 if the court determines that the underlying conduct  
22 was sexually motivated, as defined in s. 980.01 (5), and that it would be in the interest  
23 of public protection to have the defendant report under s. 301.45.

24 **SECTION 91.** 971.17 (4m) (title) of the statutes is amended to read:

25 971.17 **(4m)** (title) NOTICE TO VICTIMS ABOUT CONDITIONAL RELEASE.

1           **SECTION 92.** 971.17 (4m) (b) of the statutes is renumbered 971.17 (4m) (b)  
2 (intro.) and amended to read:

3           971.17 (**4m**) (b) (intro.) If the court conditionally releases a defendant under  
4 this section, the district attorney shall notify all of the following person, if he or she  
5 ~~can be found~~, in accordance with par. (c): the

6           1. The victim of the crime committed by the defendant or, if the victim died as  
7 a result of the crime, an adult member of the victim's family or, if the victim is younger  
8 than 18 years old, the victim's parent or legal guardian.

9           **SECTION 93.** 971.17 (4m) (b) 2. of the statutes is created to read:

10           971.17 (**4m**) (b) 2. The department of corrections.

11           **SECTION 94.** 971.17 (4m) (c) of the statutes is amended to read:

12           971.17 (**4m**) (c) The notice under par. (b) shall inform the department of  
13 corrections and the person under par. (b) 1. of the defendant's name and conditional  
14 release date. The district attorney shall send the notice, postmarked no later than  
15 7 days after the court orders the conditional release under this section, to the  
16 department of corrections and to the last-known address of the person under par. (b)  
17 1.

18           **SECTION 95.** 971.17 (4m) (d) of the statutes is amended to read:

19           971.17 (**4m**) (d) Upon request, the department of health and social services  
20 shall assist district attorneys in obtaining information regarding persons specified  
21 in par. (b) 1.

22           **SECTION 96.** 971.17 (6m) (title) of the statutes is amended to read:

23           971.17 (**6m**) (title) NOTICE TO VICTIMS ABOUT TERMINATION OR DISCHARGE.

24           **SECTION 97.** 971.17 (6m) (b) of the statutes is renumbered 971.17 (6m) (b)  
25 (intro.) and amended to read:

1           971.17 **(6m)** (b) (intro.) If the court orders that the defendant's commitment is  
2 terminated under sub. (5) or that the defendant be discharged under sub. (6), the  
3 department of health and social services shall notify ~~the~~ all of the following:

4           1. If the person has submitted a card under par. (d) requesting notification, the  
5 victim of the crime committed by the defendant, or, if the victim died as a result of  
6 the crime, an adult member of the victim's family or, if the victim is younger than 18  
7 years old, the victim's parent or legal guardian, ~~after the submission of a card under~~  
8 ~~par. (d) requesting notification.~~

9           **SECTION 98.** 971.17 (6m) (b) 2. of the statutes is created to read:

10           971.17 **(6m)** (b) 2. The department of corrections.

11           **SECTION 99.** 971.17 (6m) (c) of the statutes is amended to read:

12           971.17 **(6m)** (c) The notice under par. (b) shall inform the department of  
13 corrections and the person under par. (b) 1. of the defendant's name and termination  
14 or discharge date. The department of health and social services shall send the notice,  
15 postmarked at least 7 days before the defendant's termination or discharge date, to  
16 the department of corrections and to the last-known address of the person under par.  
17 (b) 1.

18           **SECTION 100.** 971.17 (6m) (d) of the statutes is amended to read:

19           971.17 **(6m)** (d) The department of health and social services shall design and  
20 prepare cards for persons specified in par. (b) 1. to send to the department. The cards  
21 shall have space for these persons to provide their names and addresses, the name  
22 of the applicable defendant and any other information the department determines  
23 is necessary. The department shall provide the cards, without charge, to district  
24 attorneys. District attorneys shall provide the cards, without charge, to persons  
25 specified in par. (b) 1. These persons may send completed cards to the department.

1 All departmental records or portions of records that relate to mailing addresses of  
2 these persons are not subject to inspection or copying under s. 19.35 (1), except as  
3 needed to comply with a request under sub. (4m) (d) or s. 301.46 (3) (d).

4 **SECTION 101.** 971.19 (9) of the statutes is amended to read:

5 971.19 (9) In an action under s. ~~175.45~~ 301.45 (6), the defendant may be tried  
6 in the defendant's county of residence at the time that the complaint is filed or, if the  
7 defendant does not have a county of residence in this state at the time that the  
8 complaint is filed, any county in which he or she has resided while subject to s. ~~175.45~~  
9 301.45.

10 **SECTION 102.** 973.047 (title) of the statutes is amended to read:

11 **973.047 (title) Deoxyribonucleic acid analysis and reporting**  
12 **requirements.**

13 **SECTION 103.** 973.047 (1) (a) of the statutes is amended to read:

14 973.047 (1) (a) If a court imposes a sentence or places a person on probation for  
15 a violation of s. 940.225, 948.02 (1) or (2) or 948.025, the court shall require the person  
16 to provide a biological specimen to the state crime laboratories for deoxyribonucleic  
17 acid analysis. ~~If the violation is of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025,~~  
18 ~~the court shall require the person to comply with the reporting requirements under~~  
19 ~~s. 175.45. If the violation is of s. 940.225 (3) or (3m), the court may require the person~~  
20 ~~to comply with the reporting requirements under s. 175.45 if the court determines~~  
21 ~~that the underlying conduct was seriously sexually assaultive in nature and that it~~  
22 ~~would be in the interest of public protection to have the person report under s. 175.45.~~

23 **SECTION 104.** 973.047 (1) (b) of the statutes is amended to read:

24 973.047 (1) (b) Except as provided in par. (a), if a court imposes a sentence or  
25 places a person on probation for any violation under ~~chs. ch.~~ ch. 940, 944 or 948 or ss.

1 943.01 to 943.15, the court may require the person to provide a biological specimen  
2 to the state crime laboratories for deoxyribonucleic acid analysis. ~~The court may~~  
3 ~~require the person to comply with the reporting requirements under s. 175.45 if the~~  
4 ~~court determines that the underlying conduct was seriously sexually assaultive in~~  
5 ~~nature and that it would be in the interest of public protection to have the person~~  
6 ~~report under s. 175.45.~~

7 **SECTION 105.** 973.048 of the statutes is created to read:

8 **973.048 Sex offender reporting requirements.** (1) If a court imposes a  
9 sentence or places a person on probation for a violation, or for the solicitation,  
10 conspiracy or attempt to commit a violation, of s. 940.22 (2), 940.225 (1), (2) or (3),  
11 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08 or 948.11,  
12 the court shall require the person to comply with the reporting requirements under  
13 s. 301.45.

14 (2) Except as provided in sub. (1), if a court imposes a sentence or places a  
15 person on probation for any violation, or for the solicitation, conspiracy or attempt  
16 to commit any violation, under ch. 940, 944 or 948 or ss. 943.01 to 943.15, the court  
17 may require the person to comply with the reporting requirements under s. 301.45  
18 if the court determines that the underlying conduct was sexually motivated, as  
19 defined in s. 980.01 (5), and that it would be in the interest of public protection to have  
20 the person report under s. 301.45.

21 **SECTION 106.** 980.063 of the statutes is created to read:

22 **980.063 Deoxyribonucleic acid analysis requirements.** (1) (a) If a person  
23 is found to be a sexually violent person under this chapter, the court shall require the  
24 person to provide a biological specimen to the state crime laboratories for  
25 deoxyribonucleic acid analysis.

1 (b) The results from deoxyribonucleic acid analysis of a specimen under par. (a)  
2 may be used only as authorized under s. 165.77 (3). The state crime laboratories shall  
3 destroy any such specimen in accordance with s. 165.77 (3).

4 (2) The department of justice shall promulgate rules providing for procedures  
5 for defendants to provide specimens under sub. (1) and for the transportation of those  
6 specimens to the state crime laboratories for analysis under s. 165.77.

7 **SECTION 107.** 980.11 (title) of the statutes is amended to read:

8 **980.11 (title) ~~Notice to victims~~ concerning supervised release or**  
9 **discharge.**

10 **SECTION 108.** 980.11 (2) (intro.) of the statutes is amended to read:

11 980.11 (2) (intro.) If the court places a person on supervised release under s.  
12 980.06 or discharges a person under s. 980.09 or 980.10, the ~~district attorney or~~  
13 ~~department of justice, whichever is applicable,~~ shall notify ~~whichever~~ all of the  
14 following:

15 (am) Whichever of the following persons is appropriate, if he or she can be  
16 found, in accordance with sub. (3):

17 **SECTION 109.** 980.11 (2) (a) of the statutes is renumbered 980.11 (2) (am) 1.

18 **SECTION 110.** 980.11 (2) (b) of the statutes is renumbered 980.11 (2) (am) 2.

19 **SECTION 111.** 980.11 (2) (bm) of the statutes is created to read:

20 980.11 (2) (bm) The department of corrections.

21 **SECTION 112.** 980.11 (2) (c) of the statutes is renumbered 980.11 (2) (am) 3.

22 **SECTION 113.** 980.11 (3) of the statutes is amended to read:

23 980.11 (3) The notice under sub. (2) shall inform the department of corrections  
24 and the person under sub. (2) (am) of the name of the person committed under this  
25 chapter and the date the person is placed on supervised release or discharged. The

1 department shall send the notice, postmarked at least 7 days before the date the  
2 person committed under this chapter is placed on supervised release or discharged,  
3 to the department of corrections and to the last-known address of the person under  
4 sub. (2) (am).

5 **SECTION 114.** 980.11 (4) of the statutes is amended to read:

6 980.11 (4) The department shall design and prepare cards for persons specified  
7 in sub. (2) (am) to send to the department. The cards shall have space for these  
8 persons to provide their names and addresses, the name of the person committed  
9 under this chapter and any other information the department determines is  
10 necessary. The department shall provide the cards, without charge, to the  
11 department of justice and district attorneys. The department of justice and district  
12 attorneys shall provide the cards, without charge, to persons specified in sub. (2)  
13 (am). These persons may send completed cards to the department of health and  
14 social services. All records or portions of records of the department of health and  
15 social services that relate to mailing addresses of these persons are not subject to  
16 inspection or copying under s. 19.35 (1), except as needed to comply with a written  
17 request by a district attorney or the department of justice for assistance in locating  
18 ~~persons to be notified~~ corrections under sub. (2) s. 301.46 (3) (d).

19 **SECTION 115. Nonstatutory provisions.**

20 (1) TRANSFER OF SEX OFFENDER REGISTRATION RESPONSIBILITIES TO THE  
21 DEPARTMENT OF CORRECTIONS.

22 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets  
23 and liabilities of the department of justice that are primarily related to the  
24 administration by the department of sex offender registration under section 175.45,

1 1993 stats., as determined by the secretary of administration, shall become the  
2 assets and liabilities of the department of corrections.

3 (b) *Tangible personal property.* On the effective date of this paragraph, the  
4 tangible personal property, including records, of the department of justice that is  
5 primarily related to the administration by the department of sex offender  
6 registration under section 175.45, 1993 stats., as determined by the secretary of  
7 administration, is transferred to the department of corrections.

8 (c) *Rules.* All rules promulgated by the department of justice that are  
9 primarily related to the administration by the department of sex offender  
10 registration under section 175.45, 1993 stats., and that are in effect on the effective  
11 date of this paragraph remain in effect until their specified expiration date or until  
12 amended or repealed by the department of corrections.

13 **SECTION 116. Appropriation changes.**

14 (1) APPROPRIATION INCREASE; CORRECTIONS. In the schedule under section 20.005  
15 (3) of the statutes for the appropriation to the department of corrections under  
16 section 20.410 (1) (a) of the statutes, as affected by the acts of 1995, the dollar amount  
17 is increased by \$346,900 for fiscal year 1996-97 to increase the authorized FTE  
18 positions for the department by 5.0 GPR positions on March 1, 1997, for the  
19 performance of duties relating to sex offender registration and community  
20 notification concerning sex offenders.

21 (2) TRANSFER OF SEX OFFENDER REGISTRATION RESPONSIBILITIES; CORRECTIONS. In  
22 the schedule under section 20.005 (3) of the statutes for the appropriation to the  
23 department of corrections under section 20.410 (1) (a) of the statutes, as affected by  
24 the acts of 1995, the dollar amount is increased by \$5,200 for fiscal year 1996-97 to  
25 increase the authorized FTE positions for the department by 2.0 GPR positions on

1 June 1, 1997, for the performance of duties relating to sex offender registration under  
2 section 175.45, 1993 stats.

3 (3) TRANSFER OF SEX OFFENDER REGISTRATION RESPONSIBILITIES; JUSTICE. In the  
4 schedule under section 20.005 (3) of the statutes for the appropriation to the  
5 department of justice under section 20.455 (2) (a) of the statutes, as affected by the  
6 acts of 1995, the dollar amount is decreased by \$5,200 for fiscal year 1996-97 to  
7 decrease the authorized FTE positions for the department by 2.0 GPR positions on  
8 June 1, 1997, for the performance of duties relating to sex offender registration under  
9 section 175.45, 1993 stats.

10 **SECTION 117. Effective dates.** This act takes effect on the day after  
11 publication, except as follows:

12 (1) COMMUNITY NOTIFICATION, CHANGES IN SEX OFFENDER REGISTRY AND TRANSFER  
13 OF SEX OFFENDER REGISTRY TO THE DEPARTMENT OF CORRECTIONS. The treatment of  
14 section 175.45 (2) (title) of the statutes, the amendment of sections 51.20 (13) (cr),  
15 51.375 (1) (a) and (d), 301.132 (1) (c), 938.185 (3), 938.34 (15) (title) and (a) 1. and 2.,  
16 971.17 (4m) (title), (c) and (d) and (6m) (title) and (c) and (d), 971.19 (9), 973.047 (title)  
17 and (1) (a) and (b) and 980.11 (title), (2) (intro.), (3) and (4) of the statutes, the  
18 renumbering of sections 175.45 (title), (1) (intro.), (3) (title) and (a) (intro.) and (7) (b)  
19 and 980.11 (2) (a), (b) and (c) of the statutes, the renumbering and amendment of  
20 sections 175.45 (1) (a), (b), (c), (d) and (e), (2), (3) (a) 1., 2., 3. and 4. and (b), (4), (5),  
21 (6), (7) (title), (a) and (c) and (8) and 971.17 (1m), (4m) (b) and (6m) (b) of the statutes,  
22 the creation of sections 48.396 (2) (f), 51.20 (13) (ct), 51.30 (3) (d) and (4) (b) 24., 301.45  
23 (1) (bm), (dd), (dh), (dp) and (dt), (2) (a), (b), (d) and (e), (3) (a) 1m., 2m., 3g. and 3r.  
24 and (b) 1m., 3. and 3m., (4m), (5) (a) 1m. and 3m. and (b), (6) (c) and (9), 301.46, 938.34  
25 (15m), 938.396 (2) (em), 939.646, 971.17 (1m) (b), (4m) (b) 2. and (6m) (b) 2., 973.048

1 and 980.11 (2) (bm) of the statutes, the repeal and recreation of section 950.045 of the  
2 statutes, the repeal of section 175.45 (9) of the statutes and SECTION 115 of this act  
3 take effect on June 1, 1997.

4 (2) MISCELLANEOUS. The repeal and recreation of sections 165.76 (3), 165.765  
5 (1) and (2) (a) and 165.77 (2) (b) and (3) of the statutes takes effect on July 1, 1996,  
6 or on the day after publication, whichever is later.

7

**(END)**